

Message Text

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E.O. 11652: GDS

TAGS: SP, US, PFOR, MARR

SUBJECT: DRAFT U.S.-SPANISH AGREEMENT

FOR MCCLOSKEY AND HARTMAN ONLY

1. THE FOLLOWING IS A DRAFT U.S.-SPANISH AGREEMENT PRE-
PARED AS A POSSIBLE RESPONSE TO TEXT TABLED BY CORTINA:

BEGIN TEXT: PREAMBLE THE GOVERNMENTS OF SPAIN AND OF THE
UNITED STATES;

INSPIRED BY THE PURPOSES AND PRINCIPLES OF THE CHARTER OF
THE UNITED NATIONS;

RECOGNIZING THE IMPORTANCE OF THE ATTAINMENT OF PROGRESS
AND WELL BEING OF EVERY NATION;

IMPELLED BY THEIR SHARED CONCERN FOR THE MAINTENANCE OF
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WORLD PEACE AND SECURITY, WHICH IS ESSENTIAL TO THESE ENDS;

AFFIRMING THAT THEIR COOPERATION IS BENEFICIAL FOR THE SECURITY OF BOTH COUNTRIES; STRENGTHENS THE DEFENSE OF THE WEST; PLAYS AN IMPORTANT PART IN THE SECURITY ARRANGEMENTS FOR THE NORTH ATLANTIC AND MEDITERRANEAN AREAS; AND CON-

TRIBUTES TO THE ACHIEVEMENT OF THEIR SHARED GOALS;

DESIRING TO REAFFIRM AND STRENGTHEN THE FRIENDSHIP BETWEEN THEIR PEOPLES AND TO CONTINUE AND ENRICH THE CO-OPERATIVE RELATIONSHIP WHICH EXISTS BETWEEN THE TWO COUNTRIES, IN THE SPIRIT OF THE DECLARATION OF PRINCIPLES BETWEEN THE UNITED STATES OF AMERICA AND SPAIN, OF JULY 19, 1974;

AGREE AS FOLLOWS:

ARTICLE I

THE CLOSE COOPERATION BETWEEN THE TWO COUNTRIES ON ALL MATTERS OF COMMON CONCERN OR INTEREST WILL BE MAINTAINED AND DEVELOPED ON A BASIS OF SOVEREIGN EQUALITY. THIS COOPERATION SHALL ENCOMPASS ECONOMIC, EDUCATIONAL, CULTURAL, SCIENTIFIC, TECHNICAL, AGRICULTURAL, AND DEFENSE MATTERS, AS WELL AS OTHER MATTERS UPON WHICH THEY MAY MUTUALLY AGREE.

THE GOVERNMENTS OF THE UNITED STATES AND SPAIN WILL KEEP THEIR COOPERATION IN ALL THESE AREAS UNDER CONTINUOUS REVIEW AND SEEK TO IDENTIFY AND ADOPT ALL APPROPRIATE MEASURES FOR CARRYING OUT THIS COOPERATION IN THE MOST EFFECTIVE MANNER POSSIBLE WITH A VIEW TO MAINTAINING A BALANCE OF BENEFITS, EQUAL AND EFFECTIVE PARTICIPATION OF BOTH PARTIES, AND COORDINATION AND HARMONIZATION OF THEIR EFFORTS WITH THOSE WHICH MAY BE BEING MADE IN OTHER BILATERAL AND MULTILATERAL CONTEXTS.

FOR THESE PURPOSES, A UNITED STATES-SPANISH COUNCIL IS HEREBY ESTABLISHED, UNDER THE CHAIRMANSHIP OF THE FOREIGN MINISTER OF SPAIN AND THE SECRETARY OF STATE OF THE

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UNITED STATES. THE FUNCTIONS AND ORGANIZATION OF THE COUNCIL ARE SET FORTH IN (SUPPLEMENTARY AGREEMENT NO. 1).

ARTICLE II

THE TWO PARTIES WILL SEEK TO DEVELOP THEIR ECONOMIC RELATIONS SO AS TO ENSURE MUTUAL BENEFIT WITHIN A SYSTEM OF RECIPROCITY AND TO PROMOTE, IN PARTICULAR, COOPERATION

IN THOSE FIELDS WHICH FACILITATE DEVELOPMENT. THAT CO-OPERATION SHALL ALSO TAKE INTO ACCOUNT THE IMPACT WHICH THE STATE OF THE ECONOMY OF EACH COUNTRY HAS ON ITS DEFENSE EFFORTS. THEIR ECONOMIC COOPERATION WILL BE CARRIED OUT IN ACCORDANCE WITH (SUPPLEMENTARY AGREEMENT NO. 2).

ARTICLE III

GIVEN THE RELATIONS OF FRIENDSHIP WHICH EXIST BETWEEN THE PEOPLES OF THE UNITED STATES AND SPAIN, AND RECOGNIZING THAT SCIENCE AND TECHNOLOGY ARE ESSENTIAL FACTORS IN MEETING THE GROWING NEEDS AND IN FURTHERING THE GENERAL ECONOMIC DEVELOPMENT OF BOTH COUNTRIES, THE TWO GOVERNMENTS WILL SEEK TO CARRY OUT A BROAD PROGRAM OF SCIENTIFIC AND TECHNICAL COOPERATION FOR PEACEFUL PURPOSES. IN THAT COOPERATION, THEY WILL DIRECT THEIR EFFORTS PRINCIPALLY TO AREAS HAVING THE MOST SIGNIFICANCE TO THE SOCIAL AND ECONOMIC WELFARE OF THEIR PEOPLES, AND TO DEVELOPMENTAL PROGRESS. THEIR COOPERATION IN THESE AREAS WILL BE CARRIED OUT IN ACCORDANCE WITH (SUPPLEMENTARY AGREEMENT NO. 3).

ARTICLE IV

THE UNITED STATES AND SPAIN WILL CONTINUE TO EXPAND THEIR COOPERATION IN THE EDUCATIONAL AND CULTURAL FIELDS WITH A VIEW TO FURTHERING THE FAMILIARITY OF THEIR PEOPLES WITH THE IMPORTANT CULTURAL ACHIEVEMENTS OF THE OTHER AND TO STRENGTHENING THE FRIENDSHIP AND UNDERSTANDING BETWEEN THEIR PEOPLES WHICH PROVIDE THE NECESSARY FOUNDATION FOR THE OVERALL COOPERATIVE RELATIONSHIP BETWEEN THE TWO COUNTRIES. THEIR COOPERATION IN THESE AREAS WILL BE

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CARRIED OUT IN ACCORDANCE WITH (SUPPLEMENTARY AGREEMENT NO. 4).

ARTICLE V

THE DEFENSE COOPERATION OF THE UNITED STATES AND SPAIN SHALL BE CARRIED OUT WITHIN THE FRAMEWORK OF A DEFENSE RELATIONSHIP IN WHICH THEY WILL SEEK TO STRENGTHEN FURTHER THEIR OWN SECURITY AND THAT OF THE WESTERN WORLD.

TO THIS END, THEY WILL, WITHIN THE FRAMEWORK OF THEIR CONSTITUTIONAL PROCESSES, SEEK TO DEVELOP THE APPROPRIATE PLANS AND COORDINATION BETWEEN THEIR RESPECTIVE ARMED FORCES. THIS PLANNING AND COORDINATION WILL BE CARRIED OUT AS PROVIDED IN (SUPPLEMENTARY AGREEMENT NO. 5).

IN THE EVENT OF AN EXTERNAL ATTACK OR THREAT OF EXTERNAL ATTACK AGAINST EITHER COUNTRY AS PART OF A GENERAL ATTACK AGAINST WESTERN EUROPE OR NORTH AMERICA, THE TWO GOVERNMENTS WILL CONSULT IMMEDIATELY TO CONSIDER THE ACTION WHICH EACH MIGHT TAKE, WITHIN THE FRAMEWORK OF ITS CONSTITUTIONAL PROCESSES, TO MEET THE THREAT OR ATTACK. SUCH CONSULTATION MAY TAKE PLACE WITHIN THE U.S.-SPANISH

COUNCIL OR DIRECTLY BETWEEN HEADS OF GOVERNMENT OR OTHER HIGH OFFICIALS AS APPROPRIATE.

TO FURTHER THE PURPOSES OF THIS AGREEMENT, THE USE BY THE UNITED STATES OF SPECIFIC MILITARY FACILITIES IN SPANISH TERRITORIES IS AUTHORIZED IN ACCORDANCE WITH THE PROVISIONS SET FORTH IN (SUPPLEMENTARY AGREEMENT NO. 6).

THE TWO PARTIES WILL ALSO, FOR THESE ENDS, COOPERATE IN THE ACQUISITION AS WELL AS THE PRODUCTION OF APPROPRIATE MATERIEL FOR THE ARMED FORCES OF EACH COUNTRY, IN ACCORDANCE WITH THE PROVISIONS OF (SUPPLEMENTARY AGREEMENT NO. 7).

ARTICLE VI

THIS AGREEMENT, TOGETHER WITH ITS SUPPLEMENTARY AGREEMENTS, SHALL ENTER INTO FORCE UPON THE EXCHANGE OF NOTIFICATIONS BETWEEN THE TWO GOVERNMENTS TO THAT EFFECT AND WILL REMAIN IN FORCE FOR FIVE YEARS. THEREAFTER THEY WILL REMAIN IN FORCE FOR AN ADDITIONAL FIVE YEAR PERIOD, PROVIDED THAT NEITHER PARTY SHALL HAVE GIVEN NOTICE OF TERMINATION IN DIPLOMATIC CHANNELS PRIOR TO THE EXPIRATION OF THE INITIAL FIVE YEAR PERIOD.

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MENTS, SHALL ENTER INTO FORCE UPON THE EXCHANGE OF NOTIFICATIONS BETWEEN THE TWO GOVERNMENTS TO THAT EFFECT AND WILL REMAIN IN FORCE FOR FIVE YEARS. THEREAFTER THEY WILL REMAIN IN FORCE FOR AN ADDITIONAL FIVE YEAR PERIOD, PROVIDED THAT NEITHER PARTY SHALL HAVE GIVEN NOTICE OF TERMINATION IN DIPLOMATIC CHANNELS PRIOR TO THE EXPIRATION OF THE INITIAL FIVE YEAR PERIOD.

ARTICLE VII

IN ORDER TO FACILITATE THE WITHDRAWAL OF THE PERSONNEL, PROPERTY, EQUIPMENT AND MATERIAL OF THE GOVERNMENT OF THE UNITED STATES LOCATED IN SPAIN PURSUANT TO ARTICLE V OF THIS AGREEMENT AND ITS SUPPLEMENTARY AGREEMENTS, A PERIOD OF ONE YEAR FROM THE TERMINATION OF THE AGREEMENT IS PROVIDED FOR THE COMPLETION OF WITHDRAWAL. DURING THAT ONE YEAR PERIOD, ALL THE RIGHTS, PRIVILEGES AND OBLIGATIONS DERIVING FROM ARTICLE V AND ITS SUPPLEMENTARY AGREEMENTS SHALL REMAIN IN FORCE WHILE UNITED STATES FORCES REMAIN IN SPAIN. END TEXT. ROBINSON

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